

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                             )              Case No. CR-15-132-D  
                                )  
                                )  
THOMAS VINCENT REES,     )  
                                )  
                                )  
Defendant.                 )

**ORDER**

The matter before the Court is Defendant Thomas Rees' *pro se* Motion Pursuant to 18 U.S.C. § 3583(e)(1) for Early Termination of Supervised Release [Doc. No. 3]. Defendant began serving a lifetime term of supervised release in March 2015 after discharging a 60-month prison term, and has successfully completed more than three and one-half years of supervision. The request for early termination is based on Defendant's confidence that he will not reoffend because he has established a stable and productive lifestyle, has participated in sex offender treatment and individual counseling, and has achieved a change of perspective and understanding regarding his child pornography offense. The government has responded in opposition to the Motion, arguing that it is premature because Defendant's conviction under 18 U.S.C. § 2552A(a)(5)(B) carries a mandatory minimum five-year term of supervision. *See* 18 U.S.C. § 3583(k).

A district court has discretionary authority to terminate a term of supervised release and discharge the defendant at any time after expiration of one year of supervision if, after considering certain § 3553 factors, the court is "satisfied that such action is warranted by

the conduct of the defendant released and the interest of justice.” See 18 U.S.C. § 3583(e)(1); *see also Rhodes v. Judiscak*, 676 F.3d 931, 933 (10th Cir. 2012).

Upon consideration, the Court finds that early termination of Defendant’s term of supervised release is not warranted at this time. The Court agrees with the government that Defendant’s request is premature. He has not presented any facts that show the interest of justice would be served by reducing his term of supervised release below the minimum five-year term required for his offense of conviction. The Court commends Defendant for the progress he has made, and encourages him to continue his positive efforts. The Court finds, however, that Defendant’s Motion should be denied without prejudice to resubmission at an appropriate time in the future.

IT IS THEREFORE ORDERED that Defendant’s Motion Pursuant to 18 U.S.C. § 3583(e)(1) for Early Termination of Supervised Release [Doc. No. 3] is DENIED.

IT IS SO ORDERED this 17<sup>th</sup> day of December, 2018.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE